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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/066,567	02/06/2002	Ichirou Miyagawa	Q67110	2642

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EXAMINER

CHOI, WILLIAM C

ART UNIT PAPER NUMBER

2873

DATE MAILED: 04/16/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/066,567

Applicant(s)

MIYAGAWA, ICHIROU

Examiner

William C. Choi

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.


- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) ____ is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 13-20 is/are allowed.
- 6) ☒ Claim(s) 1, 2, 7 and 8 is/are rejected.
- 7) ☒ Claim(s) 3-6 and 9-12 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.


Loha Ben
Primary Examiner

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 5) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: ____

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Genovese (U.S. 5,526,166) in view of Minoura (U.S. 4,390,235) and further in view of Kessler et al (U.S. 5,745,153).

In regards to these claims, Genovese discloses an optical system for use in scanning a surface (Figure 7), the optical system comprising: a light source including a broad light emission area comprising point-like light sources arranged in at least one direction (column 1, lines 54-55, Figure 7, "31" and "32"); a group of lenses (or lens group) (column 1, line 64 – column 2, line 11, Figure 7, "L3" and "WCO") which condenses a light beam emitted from the light source to a surface to be scanned (Figure 7, "40"); an aperture provided on an optical path of the light beam (column 1, lines 58-59, Figure 7, "34") having an opening in which only a portion of the light beam is transmitted therethrough (column 1, lines 58-61) and wherein the aperture is disposed at or in the vicinity of a far-field pattern of the multiple light beams (Figure 7, "34") but does not specifically disclose a magnification changer for changing magnification of the group of lenses. Within the same field of endeavor and also referenced in Genovese

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(column 2, lines 24-30), Minoura teaches that it is advantageous to incorporate a magnification changer (i.e. anamorphic zoom lens system) in a scanning apparatus for the purpose of increasing angular magnification, while limiting light beam expansion (spot size) (column 3, lines 10-18). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made for the optical system of Genovese to comprise a magnification changer as claimed since Minoura teaches that it is advantageous to incorporate a magnification changer (i.e. anamorphic zoom lens system) in a scanning apparatus for the purpose of increasing angular magnification, while limiting light beam expansion (spot size).

Regarding claims 2 and 8, Genovese discloses wherein the light source is capable of emitting multiple light beams simultaneously (Figure 7, "31" and "32").

Allowable Subject Matter

Claims 13-20 are allowed.

The following is a statement of reasons for the indication of allowable subject matter: The prior art fails to teach a combination of all the claimed features as presented in independent claim 13: an image recording exposure device as claimed specifically comprising an aperture disposed between positions at which a far-field pattern is formed by emitted light beams, wherein exposure lenses include lenses for changing the magnification disposed between the aperture and light sources.

The prior art fails to teach a combination of all the claimed features as presented in independent claim 17: an image recording exposure device as claimed specifically

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comprising an aperture disposed between positions at which a far-field pattern is formed by emitted light beams and an opening area changer which changes area of an aperture in accordance with magnification.

Claims 3-6 and 9-12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: The prior art fails to teach a combination of all the claimed features as presented in claims 3 and 9: an optical system as claimed in claims 1 and 7 respectively specifically further wherein the group of lenses comprises one lens group movable along an optical axis direction for changing the magnification.

The prior art fails to teach a combination of all the claimed features as presented in claims 4 and 10: an optical system as claimed in claims 1 and 7 respectively specifically further wherein the group of lenses comprises one lens group movable along an optical axis direction for changing the magnification and the area of the aperture opening changes in accordance with the magnification.

The prior art fails to teach a combination of all the claimed features as presented in claims 5 and 11: an optical system as claimed in claims 1 and 7 respectively specifically further wherein the group of lenses comprises one lens group movable along an optical axis direction for changing the magnification, with the aperture disposed downstream of said one lens group relative to the optical path.

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The prior art fails to teach a combination of all the claimed features as presented in claims 6 and 12: an optical system as claimed in claims 1 and 7 respectively specifically further wherein the group of lenses comprises one lens group movable along an optical axis direction for changing the magnification with the area of the aperture opening changing in accordance with the magnification.

Response to Arguments

Applicant's arguments with respect to claims 1, 2, 7 and 8 have been considered but are moot in view of the new ground(s) of rejection.

Prior Art Citations

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kessler et al is being cited herein to show an image-recording device having an aperture disposed in the vicinity of a far field pattern position. However, additional rejections would have been repetitive.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William C. Choi whose telephone number is (703) 305-3100. The examiner can normally be reached on Monday-Friday from about 9:00 am to 6 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Y. Epps can be reached on (703) 308-4883. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-3431 for regular communications and (703) 305-3432 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

W.C.

William Choi
Patent Examiner
Art Unit 2873
April 9, 2003



Loha Ben
Primary Examiner